

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON AT TACOMA

9 In the Matter of the Complaint of Dennis
10 Thomas dba Alaska Yacht Adventures, and Erik
11 & Tamara Johnson as owners of the M/V
12 GRAND SLAM for Exoneration from or
13 Limitation of Liability

No. C08-5445RBL

**AMENDED ORDER APPROVING
STIPULATION FOR VALUE AND
SECURITY FOR VESSEL, ISSUING
INJUNCTION DIRECTING
CONSOLIDATION AND DIRECTING
ISSUANCE OF NOTICE TO CLAIMANTS**

14 Complainants Dennis Thomas dba Alaska Yacht Adventures and Erik and Tamara
15 Johnson having filed their complaint for exoneration from or limitation of liability as owner
16 of the M/V GRAND SLAM pursuant to 46 U.S.C.A. § 30501, et seq. and rule F of the
17 Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil
18 Procedure,

19 AND the complaint having stated that the M/V GRAND SLAM is presently located in
20 Pierce County, Washington, within this District;

21 AND the complaint having stated that the value of the vessel and any pending freight
22 after the fire of February 16, 2008 described in the complaint is \$0.00 or less;
23

1 AND complainants having deposited with the Court as security for the benefit of
2 claimants a stipulation for value and security with guarantees not less than or equal to the
3 amount of complainants' interest in the M/V GRAND SLAM and in the sum of \$0.00
4 executed by St. Paul Fire and Marine Insurance Company as guarantor, now

5 IT IS HEREBY ORDERED as follows:

6 1. That complainants' Stipulation for Value and St. Paul Fire and Marine
7 Insurance Company's guarantee, deposited by plaintiff with the Court for the benefit of
8 claimants in the sum of \$0.00 as security for the amount or value of complainants' interest in
9 the vessel, is approved.

10 2. Further prosecution of any and all actions, suits, or proceedings already
11 commenced of any nature and description whatsoever in any jurisdiction against
12 complainants, or against the vessel described above, except in this action, to recover damage
13 for or in respect of any loss, damage, or injury caused by or relating to the incident described
14 above and in the complaint, including all claims already received by complainants, be and are
15 hereby restrained, stayed, and enjoined until the hearing and determination of this action.

16 3. An order shall be issued by the Clerk of this Court to all persons asserting
17 claims arising out of, relating to, or otherwise in respect to the voyage and incident described
18 above from which complainants seek exoneration from or limitation of liability and
19 admonishing such claimants to file their respective claims with the Clerk of the Court in
20 writing and to serve on complainants' attorneys a copy of the same on or before the 3rd day of
21 **October**, 2008 or be defaulted; and that if any claimant desires to contest complainants' right
22 to exoneration from or limitation of liability such claimant shall file and serve on
23

1 complainants' attorneys an answer to this complaint on or before the date set by this Court or
2 be defaulted.

3 4. The notice described above shall be published in the Tacoma News Tribune, as
4 provided by rule F of the Supplemental Rules for Certain Admiralty and Maritime claims and
5 LAR 150. Copies of such notice shall also be mailed in accordance with rule F.

6 DATED this 21st day of August, 2008.

7
8 
9 RONALD B. LEIGHTON
10 UNITED STATES DISTRICT JUDGE

11 Presented by:

12 FORSBERG & UMLAUF, P.S.

13 By: _____
14 John P. Hayes, WSBA #21009
15 Paul S. Smith, WSBA #28099
16 Attorneys for complainants Dennis Thomas
17 dba Alaska Yacht Adventures, and Erik and
18 Tamara Johnson
19 901 Fifth Avenue, Suite 1700
20 Seattle, WA 98164
21 (206) 689-8500
22 jhayes@forsberg-umlauf.com
23 psmith@forsberg-umlauf.com